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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-392

13 **MELISSIA CYNTHIA ADAMS, AKA**
14 **MELISSIA ADAMS, AKA**
15 **MELISSIA CYNTHIA BOYD, AKA**
16 **MELISSIA BOYD**
17 **904 Stockbridge Drive**
18 **Virginia Beach, VA 23464**

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

19 **Registered Nurse License No. 710249**

20
21 **Respondent.**

22 **FINDINGS OF FACT**

23 1. On or about November 14, 2012, Complainant Louise R. Bailey, M.Ed., R.N., in her
24 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
25 Consumer Affairs, filed Accusation No. 2013-392 against Melissa Cynthia Adams, aka Melissa
26 Adams, aka Melissa Cynthia Boyd, aka Melissa Boyd (Respondent) before the Board of
27 Registered Nursing. (Accusation attached as Exhibit A.)

28 2. On or about August 13, 2007, the Board of Registered Nursing (Board) issued
Registered Nurse License No. 710249 to Respondent. The Registered Nurse License was in full

1 force and effect at all times relevant to the charges brought in Accusation No. 2013-392 and has
2 expired on November 30, 2012. This lapse in licensure, however, pursuant to Business and
3 Professions Code sections 118, subdivision (b) and 2764, does not deprive the Board of its
4 authority to institute or continue this disciplinary proceeding.

5 3. On or about November 14, 2012, Respondent was served by Certified and First Class
6 Mail copies of the Accusation No. 2013-392, Statement to Respondent, Notice of Defense,
7 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,
8 and 11507.7) at Respondent's address of record which, pursuant to California Code of
9 Regulations, title 16, section 1409.1, is required to be reported and maintained with the Board.
10 Respondent's address of record was and is:

11 904 Stockbridge Drive
12 Virginia Beach, VA 23464

13 4. Service of the Accusation was effective as a matter of law under the provisions of
14 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
15 124.

16 5. Government Code section 11506 states, in pertinent part:

17 (c) The respondent shall be entitled to a hearing on the merits if the respondent
18 files a notice of defense, and the notice shall be deemed a specific denial of all parts
19 of the accusation not expressly admitted. Failure to file a notice of defense shall
20 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
21 may nevertheless grant a hearing.

22 6. Respondent failed to file a Notice of Defense within 15 days after service upon her of
23 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2013-
24 392.

25 7. California Government Code section 11520 states, in pertinent part:

26 (a) If the respondent either fails to file a notice of defense or to appear at the
27 hearing, the agency may take action based upon the respondent's express admissions
28 or upon other evidence and affidavits may be used as evidence without any notice to
respondent.

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8. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on the relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as taking official notice of all the investigatory reports, exhibits and statements contained therein on file at the Board's offices regarding the allegations contained in Accusation No. 2013-392, finds that the charges and allegations in Accusation No. 2013-392, are separately and severally, found to be true and correct by clear and convincing evidence.

9. Taking official notice of its own internal records, pursuant to Business and Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation and Enforcement is \$485.00.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Melissia Cynthia Adams, aka Melissia Adams, aka Melissia Cynthia Boyd, aka Melissia Boyd has subjected her Registered Nurse License No. 710249 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Registered Nursing is authorized to revoke Respondent's Registered Nurse License based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Evidence Packet in this case:

a. Business and Professions Code section 2761, subdivision (a)(4) -- unprofessional conduct (discipline by another state).

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 710249, heretofore issued to Respondent Melissia Cynthia Adams, aka Melissia Adams, aka Melissia Cynthia Boyd, aka Melissia Boyd is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on MAY 23, 2013.

It is so ORDERED APRIL 23, 2013.


FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

51236357.DOC
DOJ Matter ID:LA2012507886

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 LINDA L. SUN
Deputy Attorney General
4 State Bar No. 207108
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-6375
6 Facsimile: (213) 897-2804
Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2013-392**

11 **MELISSIA CYNTHIA ADAMS, AKA**
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14 **MELISSIA BOYD**
904 Stockbridge Drive
Virginia Beach, VA 23464

A C C U S A T I O N

15 **Registered Nurse License No. 710249**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
22 Department of Consumer Affairs.

23 2. On or about August 13, 2007, the Board issued Registered Nurse License Number
24 710249 to Melissa Cynthia Adams, aka Melissa Adams, aka Melissa Cynthia Boyd, aka
25 Melissa Boyd (Respondent). The Registered Nurse License was in full force and effect at all
26 times relevant to the charges brought herein and will expire on November 30, 2012, unless
27 renewed.

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1 CAUSE FOR DISCIPLINE

2 8. Respondent's license is subject to discipline under Code section 2761, subdivision
3 (a)(4) on the grounds of unprofessional conduct, in that Respondent's nursing license was
4 disciplined by the Virginia Board of Nursing. The circumstances are as follows:

5 a. On or about January 19, 2010, Respondent was issued License No. 0001-222744 as a
6 professional nurse by the Board of Nursing in the State of Virginia. The license expired on
7 January 6, 2012 and has not been renewed.

8 b. On or about February 8, 2011, the Virginia Board of Nursing issued an Order
9 reprimanding Respondent's License No. 0001-222744 for violation of section 54.1-3007(5) of the
10 Code of Virginia, in that on or about March 8, 2010, during the course of her employment with
11 Chesapeake Regional Medical Center, Chesapeake, Virginia, Respondent was observed to be
12 impaired while on duty.

13 PRAYER

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
15 and that following the hearing, the Board of Registered Nursing issue a decision:

16 1. Revoking or suspending Registered Nurse License Number 710249, issued to
17 Melissia Cynthia Adams, aka Melissia Adams, aka Melissia Cynthia Boyd, aka Melissia Boyd;

18 2. Ordering Melissia Cynthia Adams, aka Melissia Adams, aka Melissia Cynthia Boyd,
19 aka Melissia Boyd to pay the Board of Registered Nursing the reasonable costs of the
20 investigation and enforcement of this case, pursuant to Business and Professions Code section
21 125.3;

22 3. Taking such other and further action as deemed necessary and proper.
23

24 DATED: November 14, 2012

25 *for* Stacie Bee
26 LOUISE R. BAILEY, M.ED., RN
27 Executive Officer
28 Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant